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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

TIM O'NEILL, an individual; on behalf of
 himself and all others similarly situated,

Plaintiff,

v.

GENESIS LOGISTICS, INC. and DOES 1
 through 10, inclusive

Defendants.

Case No. CV08-4107 SI

**STIPULATION AND PROPOSED
 ORDER TO CONTINUE FEBRUARY
 26, 2010 CASE MANAGEMENT
 CONFERENCE**

Judge: Honorable Susan Illston
 Ctrm: 10, 19th floor
 Date/Time: 2/26/10, 2:30 PM

WHEREAS on December 3, 2010 the parties participated in an early mediation before
 Mediator Jeffrey Krivis in Los Angeles, California;

WHEREAS the matter was not settled at the mediation but the parties continued
 settlement discussions with Mr. Krivis until December 22, 2009;

1 **WHEREAS** on December 22, 2009, the parties agreed to settle the class claims and as
2 part of the settlement, on December 23, 2009, plaintiff notified the Labor and Workforce
3 Development Agency of the existence of a Private Attorney General Act claim;

4 **WHEREAS** the parties have been preparing, and are in the process of finalizing, a joint
5 motion: (1) provisionally certifying a settlement class, (2) preliminarily approving class
6 settlement, (3) directing distribution of notice of settlement and opportunity to opt out, and (4)
7 setting a hearing for final approval of the proposed settlement agreement; as well as preparing a
8 proposed notice of settlement, proposed instructions, and claim form for Court approval;

9 **IT IS HEREBY STIPULATED:**

10 The February 26, 2010 Case Management Conference is continued for 60 days so the
11 parties can negotiate, prepare and submit the above-mentioned class settlement documents for
12 Court approval and finalize settlement.

13
14 DATED: February 24, 2010

RAO ONGARO LLP

15 By _____/s/_____
16 Anthony J. Rao

17 Attorneys for Defendant
GENESIS LOGISTICS, INC.

18 DATED: February 24, 2010


LAW OFFICES OF SHAUN SETARAH

19
20 By _____/s/_____
Shaun Setarah

21 Attorneys for Plaintiff
22 TIM O'NEILL on behalf of himself and all others
23 similarly situated

24 **FOR GOOD CAUSE, THE FOREGOING STIPULATION IS APPROVED AND IS SO**
25 **ORDERED.** The Court continues the Case Management Conference to
26 4/23/10 @ 2:30 p.m.

27 DATED: _____

28 
Honorable Susan Illston